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**BEFORE THE
SURFACE TRANSPORTATION BOARD**



STB DOCKET NO. AB-409 (Sub- No. 5X)

**LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY
ABANDONMENT EXEMPTION
IN LOS ANGELES COUNTY, CA**

**PETITION TO TOLL DATE
AN OFFER OF FINANCIAL ASSISTANCE MUST BE FILED BY**

ENTERED
Office of Proceedings
JUN 26 2008
Part of
Public Record

James Riffin ("Riffin" or "Petitioner") herewith files this Petition to Toll Date an Offer of Financial Assistance Must Be Filed By, and for reasons states:

1. On June 16, 2008, the Surface Transportation Board ("Board") served notice that the Los Angeles Metropolitan Transportation Authority ("LAMTA") filed a Notice of Exemption ("NOE") to abandon 0.31 miles of the Santa Monica Industrial Lead between mileposts 485.69 and 486.00, a distance of 0.31 miles, in Los Angeles County, California ("Line").
2. On June 26, 2008, your Petitioner filed a Notice of Intent to File an Offer of Financial Assistance to purchase the line which is the subject of the above entitled proceeding.
3. On June 25, 2008, a copy of Riffin's OFA Notice was mailed, via first class mail, to Charles Spitulnik, counsel for LAMTA. In that OFA Notice, Riffin requested LAMTA provide Riffin with 49 CFR §1152.27(a) information regarding the Line. Riffin cannot prepare an informed Offer of Financial Assistance without first reviewing the information Riffin requested.
4. Publication of the notice of exemption was published in the Federal Register on June 16, 2008.

5. 49 CFR 1152.27 (b) (2) (ii) states Offers of Financial Assistance must be filed no later than 30 days after the date of the Federal Register publication giving notice of the exemption, or July 16, 2008 in the instant proceeding.

6. Under 49 CFR 1152.27 (c), the offeror may ask that the Board toll the time period within which an OFA must be submitted, in order to provide sufficient time for the abandoning railroad to provide the offeror with the information specified in 49 CFR 1152.27(a).

7. Your Petitioner would ask the Board to Stay of the Date an OFA must be submitted, in order to obtain the information specified in 49 CFR 1152.27(a), until **30 days after LAMTA has provided Petitioner with the requested 49 CFR 1152.27(a) information.** This would permit Riffin sufficient time to request the 49 CFR 1152.27(a) information from LAMTA, evaluate the information, then submit an informed OFA.

8. Once Riffin receives the information he has requested from LAMTA, he anticipates it will take 30 days to have experts evaluate the data, then provide him with guidance regarding the economic viability of the line.

9. Granting this Petition is in conformity with 49 USC §10101 (7) [reducing regulatory barriers to entry into the industry]; (13) [to ensure the availability of accurate cost information in regulatory proceedings; (15) [to provide for the expeditious handling and resolution of all proceedings]. Granting this Petition would not significantly adversely affect LAMTA's ability to exit the industry along this line.

10. For the above reasons, your Petitioner would request:

A. The time period within which to file an OFA be 30 days from the date LAMTA provides Riffin with the 49 CFR 1152.27(a) information Riffin has requested.

Respectively,


James Riffin

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of June, 2008, a copy of the foregoing Petition to Toll Date an Offer of Financial Assistance Must be Filed By, was served by first class mail, postage prepaid, upon Charles Spitulnik, Kaplan Kirsch Rockwell, Ste 905, 1001 Connecticut Ave, N.W., Washington, DC 20036, counsel for LAMTA.



James Riffin